

Amendment No. 2 to SB2318

Henry  
Signature of Sponsor

**AMEND Senate Bill No. 2318\***

**House Bill No. 2334**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting Section 2 subsection (b) of the printed bill and by substituting instead the following:

(b)(1) A product or category of products that contain any immediate methamphetamine precursor shall be exempt from the requirements of this section if the ingredients are not in a form that can be used in the manufacture of methamphetamine.

(2) The board of pharmacy, in consultation with the bureau of investigation, shall determine whether a product or category of products that contain any immediate methamphetamine precursor are not in a form that can be used in the manufacture of methamphetamine. In making such a determination, the board shall solicit the written opinion of the bureau and work with the bureau to develop procedures that consider, among other factors,

(A) ease with which a product can be converted to methamphetamine, including the presence or absence of a "molecular lock" completely preventing a product's use in methamphetamine manufacture;

(B) ease with which pseudoephedrine can be extracted from a product and whether it forms a salt, emulsion, or other form:

(C) any other pertinent data that can be used to determine the risk of a product being viable in the illegal manufacture of methamphetamine.

(3) The board of pharmacy shall maintain a public list of such exempted products or categories of products. Any person may request that a product or category of products be included on the exemption list. Such a list shall include, but not be limited to, products in the form of gel capsules and liquid preparations that contain any immediate methamphetamine precursor. The term "gel capsule" means any soft gelatin liquid-filled capsule that contains a liquid suspension, which, in the case of pseudoephedrine, is suspended in a matrix of glycerin, polyethylene glycol, and propylene glycol, along with other liquid substances. Regardless of the

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product manufacturer's labeling, a gelatin-covered solid does not constitute a "gel capsule" under this provision.

AND FURTHER AMEND by deleting Section 17 of the printed bill and by substituting instead the following:

SECTION 17. Section 2 subsection (a) shall take effect 24 hours after becoming a law, the public welfare requiring it. Section 2 subsections (c), (d), and (e) shall take effect 30 days after becoming law, the public welfare requiring it, but pharmacies shall make every effort to comply sooner. All other provisions of this act shall take effect immediately upon becoming law, the public welfare requiring it.